

**CHARTER COMMISSION
CITY AND COUNTY OF HONOLULU**

**TUESDAY, APRIL 4, 2006
HAHAIONE ELEMENTARY SCHOOL
595 Pepeekeo Street, Honolulu, Hawaii 96825
6:00 p.m.**

MINUTES

Charter Commission Members Present:

Donn Takaki
Andrew Chang
E. Gordon Grau
Amy Hirano
Darolyn Lendio – Late 6:04 p.m.
Stephen Meder
Jim Myers
Malcolm J. Tom

Charter Commission Members Excused:

Jerry Coffee
Jared Kawashima
Jeffrey T. Mikulina
James Pacopac
Jan Sullivan

Others Present:

Chuck Narikiyo, Executive Administrator, Charter Commission
Diane Kawauchi, Deputy Corporation Counsel, Department of Corporation Counsel
Loretta Ho, Secretary, Charter Commission
Nicole Love, Researcher, Charter Commission

1. Call to Order

Chair Donn Takaki called the Community Meeting to order at 6:00 p.m. on April 4, 2006. Chair Takaki went over housekeeping rules. The testimony must be related to the agenda.

2. Executive Administrator's Report

Executive Administrator Narikiyo gave a brief history of the City Charter and the Charter Commission.

3. Public Input on Proposals:

DISCUSSION:

A. Departments and Personnel

PROPOSAL 27 - Liquor Commission and Civil Service; Exempt Liquor Control Administrator and Deputy Administrator from civil service.

PROPOSAL 33 - Department of Emergency Services; Revise the Powers, Duties and Functions of the Director and the Department.

PROPOSAL 35 - Department of Information Technology; Revise the Powers, Duties and Functions of the Director.

PROPOSAL 36 - Fire Chief; Revise the Powers, Duties and Functions of the Fire Chief and the Fire Department.

PROPOSAL 45 - Board of Water Supply; Amend qualifications of Board Members.

PROPOSAL 49 - Office of Council Services; To authorize the attorneys in the Office of Council Services to serve as legal advisers and legal representatives of the City Council along with the Department of Corporation Counsel.

PROPOSAL 56 - Fire Chief; Establish a 5-year term of office for the Fire Chief.

PROPOSAL 57 - Transportation; Establish a new, temporary agency in the city to develop the new public transportation system to be funded by the tax surcharge.

PROPOSAL S-9 - Department of Transportation Services - Revise Powers, Duties and Functions; Promote pedestrian- and bicycle-friendly city

The following individuals testified:

1. Ian Forester (33)
2. Lt. John Chichin, U.S. Coast Guard (33)
3. Scott Snider, Hawaii Bicycling League (S-9)
4. Randy Ching (S-9)
5. Chad Taniguchi (S-9)
6. Robert Bengtson, Board of Director, Hawaii Bicycling League (S-9)
7. Peter Steiger (S-9)
8. Kristi Schulenberg, Executive Director, Hawaii Bicycling League (S-9)
9. Kamaile Nichols (S-9)
10. William Reese-Liggett (S-9)
11. Betty Gearan (S-9)
12. Annette Komente (S-9)
13. Marjorie Ziegler, Executive Director, Conservation Council of Hawai'i (S-9, 45)
14. Colin Chung (S-9)
15. Kevin Kellan (S-9)
16. Dorian Cuccia (S-9)
17. John Lutfey (S-9)

Written testimony:

1. Hawaii Bicycling League (S-9)

2. Marjorie Ziegler, Executive Director, Conservation Council of Hawai'i (S-9, 45)
3. Andrew Cohen (S-9)
4. William Reese-Liggett (S-9, 45)
5. William Woods-Bateman (49)
6. Andrea Maglasang, Team Jet Hawaii (S-9)
7. Donna Gedge (S-9)
8. Rick Kazman (S-9)
9. Peter Steiger (S-9)
10. Kristi Schulenberg, Executive Director, Hawaii Bicycling League (S-9)
11. Elaine Lemons (S-9)
12. Lydi Morgan (S-9)
13. Colin Chung (S-9)
14. Dorian Cuccia (S-9)
15. Annette Mente (S-9)
16. Chad Taniguchi (S-9)
17. Blaine Rogers (S-9) - LATE

Ian Forester testified in support of Proposal 33. He stated he is an EMT who works for Ocean Safety as a Rescue Operator with the Jet Ski Rescue program assigned to the South Shore. He commented a former captain with Ocean Safety pioneered the Jet Ski program as a lifesaving tool and it has become a standard for ocean rescues because of its speed, ability to pick up multiple victims, maneuverability during high surf and accessibility to areas that are not easily accessible. He went on to say over the last few years ocean activities have increased dramatically such as one man canoeing, kayaking, free diving, boating and surfing and they are already responding to incidents associated with these activities. Mr. Forester stated one of the beneficial factors of the Ocean Safety jet skis is that it can be launched anywhere on the island within a matter of minutes and when lives are at stake seconds and minutes are crucial. He commented they have the capacity and desire to make those rescues but they must receive the call and it is only logical to get there as fast as possible and because they are already at water's edge he believes they can get there faster than most personnel. He stated if the City charter is amended then the City could better serve the community.

Lt. John Chichin testified in support of Proposal 33. He stated the Coast Guard runs search and rescue operations for the main Hawaiian Island and has an MOU with the Honolulu Fire Department who handles cases to three miles out and then the Coast Guard responds after that. He went on to say because of the unique geography of the islands and the shortage of resources in certain areas they are often called to perform rescues on shore. He commented he feels this is where Ocean Safety could come into play in a much greater capacity. Lt. Chichin stated improvements in the Ocean Safety Division in the Coast Guard's official stance would be critical to approving search and rescue mission readiness in Hawaii. He commented Ocean Safety has tremendous watermen, they have jet skis, they are pioneering techniques that are not seen in other parts of the world. He went on to say they have led big surf rescues in Hawaii, California and Australia through their partnerships with various agencies in those areas. He went on to say the U.S. Coast Guard from an official standpoint here on behalf of the operations office and the captain of the port, any improvements to the Ocean Safety Division they think would enhance search and rescue capabilities in Hawaii. Lt. Chichin stated the

Coast Guard is limited in many areas because of their resources; they don't use jet skis, they can't get into the tight areas, coves, portlock and the bulk of their cases they see close to shore in Honolulu more than 90% are people in the water and not just distressed vessels or broken down vessels. He commented those are people who are actually in the water that need to be saved and who better than the Ocean Safety Division who have been trained in various techniques and are knowledgeable of the shoreline in the areas the Coast Guard is responding too. He stated the Coast Guard's stand is that any improvement to that division would benefit the residents of Hawaii in general.

Scott Snider testified in support of Proposal S-9. He stated this charter amendment is very important because it fills a big gap there is for the island's cycling safety and right now transportation is a major issue on Oahu and there is a crisis with traffic and cycling is an alternative form of transportation. He commented last week at the Kapolei Community meeting and a Commissioner asked him out of Oahu's priority one projects how many have been built? Mr. Snider responded out of six projects listed in the Bike Plan Hawaii, he speculated that maybe two have been built. He stated the bike plan has been in existence for three years, no project has been built and the bike plan has been written. He went on to say what that tells them is that they need to legislate a little more with the City then encourage them to get the projects built and Proposal S-9 does that. He urged the Commissioners to support the proposal. Commissioner Chang asked Mr. Snider over the last three years he presumes an effort has been made at the City Council to try and get those projects identified and funded and asked Mr. Snider if he was part of that process and if he knew why they did not respond to the proposal? Commissioner Chang clarified if they put this in the charter it force the hands of the Council which may preclude other priority determinations which is his concern and asked Mr. Snider if he could share why the Council or Administration did not respond. Mr. Snider responded the only thing he could give is two examples of projects listed in the bike plan in his Mililani neighborhood but are not built. He stated there is a Mayor's Advisory Task force and maybe others that would be testifying later could elaborate on that because he doesn't attend those meetings.

Randy Ching testified in support of Proposal S-9. He addressed Commissioner Chang question. Mr. Ching stated the Sierra Club and bicycle advocates did try to push the Young Street project bikeway a couple of years ago through the City and they were able to have Mayor Harris put \$14 million in his budget. He stated they attended the hearings and asked Budget Committee Council Chair Kobayashi to include the \$14 million dollars in the City budget for the Young Street bikeways. He commented there was a firm that did a survey of all the business whose driveways opened on Young Street and got an approval from most of the businesses to do a bikeway/pedestrian on Young Street and Councilwoman Kobayashi said there is not enough money in the City budget and that project was cancelled. Since then they really haven't pushed any specific project in the Honolulu core but that was their best effort about four years ago. Mr. Ching commented he spoke with some of the members of HBL and couple of their comments were a couple of the problems were accidents with bicycle and car interaction and a lot of the bikeways are not swept because even though there is a dedicated bike lane a lot of times the street sweepers would push the gravel and road debris into the bike lanes which generally don't get swept. He went on to say by putting this proposal into the city charter he hopes that sweeping and bicycle lanes would get a higher priority. He stated for those he spoke with

commented they would ride their bikes more if they were assured of their safety.

Chad Taniguchi testified in support of Proposal S-9. He gave a history of his background in why he chooses to bicycle from Kailua to Honolulu daily. He asked for the Commissioners' support to give the voters a chance to vote on this proposal.

Robert Bengtson testified in support of S-9. He stated the Hawaii Bicycling League supports a safe and desirable bicycling environment in Hawaii and promotes it as a recreational activity, competitive sport and probably most important means of transportation. He went on to say they believe cooperation amongst bicyclists, pedestrians and motorists is fundamental to increasing transportation safety, so this is not just a one sided argument. Mr. Bengtson stated they believe cyclists have to take responsibility and ride safely and also advocate that drivers recognize that cyclists can share the road also. He went on to say as part of their mission at HBL is to educate cyclists on how to ride safely. Mr. Bengtson commented they also want to improve the quality of life for Hawaii residents. He went on to say unfortunately Hawaii has the third highest fatality rate in the nation. He stated that facilities are not as safe as they would like and improvements are needed now especially with the growing traffic congestion and the dangers associated with that. Mr. Bengtson stated he thinks the amended language is right to acknowledge the fear that many people have about cycling on the streets. He commented there were also complaints about the lack of infrastructure or the projects that have not been completed yet. He went on to say they understand there are budget limitations and that is always going to be a challenge for the City and the State because they also have a responsibility as well on the public highways. He added these facilities are important to relieving the traffic congestion as well. Mr. Bengtson stated this amendment he thinks provides impetus to give priority to new development and upgraded infrastructures for the cycling community. He commented HBL would continue to work with the City and County and Department of Transportation Services. He went on to say they think with that type of consistent coordination and education and infrastructure improvement, cycling can become a safe and effective way to travel around the city.

Commissioner Grau asked Mr. Bengtson if he could provide some of the statistics he cited such as Hawaii having the third highest fatality rate. Mr. Bengtson responded he did not have them with him but could provide that later. Also he advised it is available in the Federal Department of Transportation last year and it ranks all of the states from most dangerous to least dangerous.

Commissioner Chang commented he would be also interested in knowing if Mr. Bengtson could get a hold of any documentation illustrating other municipalities that have established in a charter or whether or not their programs have been successfully implemented through their legislative process. Mr. Bengtson asked Commissioner Chang for clarification. He commented Commissioner Chang is distinguishing between a Charter Amendment as opposed to separate legislative advocacy efforts? Commissioner Chang responded that would be helpful. Chair Takaki asked Commissioner Chang if he was directing that question to the Charter Commission's researcher as well? Commissioner Chang responded yes.

Peter Steiger testified in support of Proposal S-9. He read his written testimony into the

record. Chair Takaki asked Mr. Steiger if he didn't know he'll ask Researcher Love to research the answer. Under the bike plan that Mr. Snider referred to, for Priority projects how many miles of bike lanes are included in that priority one project and what the estimated cost is to do that project. Mr. Steiger responded he's not that familiar with that. Chair Takaki asked Researcher Love to do that research.

Kristi Schulenberg testified in support of Proposal S-9. She read her written testimony into the record.

Lydi Morgan testified in support of Proposal S-9. She read her written testimony into the record.

Kamaile Nichols testified in support of Proposal S-9. She stated she does own a car but chooses to bike whenever she can and is concerned about environmental pollution and city congestion. She went on to say recently she's not able to ride bike because the bike lanes disappear mid-street and often is forced onto the sidewalk, which she feels is not safe for pedestrians and would rather not go on the sidewalk, but sometimes are left with no other options. Ms. Nichols commented she thinks it's a shame for citizens like herself who would like to make the environmentally conscious decision is basically forced not to because of safety reasons. She asked for the Commission's support.

William Reese-Liggett testified in support of Proposal S-9. He stated he doesn't want to entangle with the bicyclists and thinks it's an unpleasant situation to have bicycles and cars mixed so closely together. He went on to say you don't have to be a bicycle rider to be in favor of better conditions for bicycle riders.

Betty Gearen testified in support of Proposal S-9. She stated she and her family would like to ride bikes but because of the current state of the bikeways, they do not. She also stated her concern is if they look at the statistics nationwide children's health and people's health issues are rising and asked the Commission to think about families who would like to ride their bikes instead of sitting in their cars.

Annette Komete testified in support of S-9. She commented she's a Planner for the Department of Health and is a recreational cyclist and walker. She stated she wanted to concentrate her testimony from the health perspective. She went on to say increasingly in the field of public health, the health of the communities is closely linked to the design of the communities. Ms. Komete commented that land use and transportation planning decisions impact a wide range of public health concerns. She stated the suburban sprawl, the suburb located from far distances from most people's employment centers and what this has created is a number of public health issues. Including a lack of physical activities, obesity, all the chronic diseases related to obesity, mental health problems, health disparity and even air and water quality issues. She went on to say most of Hawaii's rate of chronic disease steadily increasing and much of this is due to unhealthy lifestyles. Ms. Komete commented the Department of Health is finding that overweight is being started at a much younger rate. She commented that 29% of 4 to 5 year olds in Hawaii public schools are either overweight or at risk of being overweight. She went on to say by 9 years of age, 36% of school-aged children are overweight or at risk of being overweight and this are Hawaii's data and not national data. She went on to say chronic diseases is

the most costly preventive of all public health problems and to combat this disturbing trend, public health professionals are now looking towards both policy as well as environmental design as really critical tools to address the epidemic of obesity, nationally not only in Hawaii. Ms. Komente stated these are practices now that the Center for Disease Control are embracing and are really encouraging Public Health Departments to look at seriously that the way they build their environment affects whether they have healthy populations and healthy communities. She commented coupled with their traditional public health prevention approaches, health promotions, safety education and enforcement, Hawaii can create a healthier built environment by re-integrating physical into our everyday commuting and recreational choices.

Marjorie Ziegler testified in support of Proposal S-9. She commented from a wildlife protection perspective, this proposal encourages people to bike and it also encourages to get away as much as possible from fossil fuel. She stated fossil fuels and greenhouse gas emissions are causing global warming and they are very concerned about that because it affects Hawaiian wildlife with increasing temperatures and sea levels rising.

Colin Chung testified in support of Proposal S-9. He read his written testimony into the record.

Kevin Kellan testified in support of Proposal S-9.

Kevin Kilanmaura testified in support of Proposal S-9 and 71. He stated he was an avid bike rider for 20 plus years. He commented he got hit by a cement mixer and two cars because he feels there's a false sense of attention inside a bike lane that when you first try to ride in a bike lane people don't judge, they bring their families and their kids in the bike lanes. He stated the lanes should be set-up with a lot of protection and lower the speed limits. Mr. Kilanmaura stated he wouldn't want to see recycling with just a van showing up on the side of the ride. He commented to take the nickels they are getting from recycling and put towards private venture where they could be a place where people don't have to stand outside and commented curbside recycling needs to start now.

Dorian Cuccia testified in support of Proposal 9. He stated he's an avid cyclist and also teaches cycling to those who want to get into the sport for fitness. He went on to say there's a large amount of them that would want to use cycling as a commuting means but they feel the conditions are too hazardous.

John Lutfey stated he used to cycle and enter mini races but was hit by a car once. He commented there is a false sense of security. He went on to say he lives in Manoa where the streets are narrow and asked where would they put a bike lane on narrow streets.

Chair Takaki asked to take a 5-minute break before starting the next section. Commissioner Lendio moved to take a 5-minute break. Commissioner Hirano seconded that motion.

****RECESS 7:05p.m.

****RECONVENE 7:17p.m.

Chair Takaki exercised his discretion to change the testimony time limit to 2 minutes per person per category in fairness to all registered speakers.

B. Planning, Zoning, and Environment

PROPOSAL 7 - Sustainable Community Plans and Development Plans.

PROPOSAL 21 – Planning and Zoning; Establish urban growth boundaries and agricultural protection zones.

PROPOSAL 22 - Planning Commission; Restore the position of Executive Secretary.

PROPOSAL 32 - Planning Commission; Establish deadlines for Mayor and City Council to act on certain Planning Commission recommendations.

PROPOSAL 47 – Planning and Zoning; Establish urban growth boundaries.

PROPOSAL 69 - Planning and Zoning; Require 2/3rds vote for Planning Commission and City Council before agricultural land can be converted to urban use.

PROPOSAL 71 - Department of Environmental Services; Require the Director to develop and administer a curbside recycling program.

PROPOSAL 96 - Environmental Bill of Rights; Add new article with an "environmental bill of rights" for current and future residents.

PROPOSAL 98 - City Buildings and Department of Design and Construction; Require City Council to adopt green building standards for city buildings, revise Department of Design and Construction duties to comply with green building standards.

PROPOSAL 99 - Development Plans and Zoning; Require that when an acre of land is converted from agricultural or preservation designations, an acre of land will be converted to those designations, ensuring no net loss of agriculture or preservation lands.

The following individuals testified:

1. Jim Tollefson, President, Chamber of Commerce of Hawaii (21, 32, 47, 69 and 99)
2. Thomas Yamabe, Kamilonui Farmers (21, 47 and 69)
3. John A. Hoag, Chairman, Board of Directors of Hawaii Reserves Inc. (21, 47, 69 and 99)
4. Charles Prentiss
5. Charles Palumbo
6. Dean Okimoto, President, Hawaii Farm Bureau Federation
7. Jacqueline Parnell, President, League of Women Voters of Honolulu (47 and 69)
8. Natalie Iwasa (Proposals 21, 47, 69, 71 and 99)
9. Elizabeth Riley, President, Livable Hawaii Kai Hui (47)
10. Todd Schelling (21, 47, 69 and 71)
11. Maureen Muraoka (47)
12. Marjorie Ziegler, Executive Director, Conservation Council of Hawai'i (21, 47, 69, 71, 96, 98)

- and 99)
13. William Reese-Liggett (21, 47, 69, 71, 96, 98 and 99)
 14. Lydi Morgan (21, 47, 71)
 15. Betty Gearan
 16. Randy Ching (71)
 17. Darian Gray (21, 47, 69 and 71)
 18. Carl Takamura
 19. Lyla Berg, State House of Representative
 20. Dean Uchida, Executive Director, LURF (7, 21, 32, 47, 69 and 99)
 21. Cheryl Soon, Hawaii Chapter of the American Planning Association (7, 21, 22, 32, 47 and 99)

Written testimony:

1. John A. Hoag, Chairman, Board of Directors of Hawaii Reserves Inc. (21, 47, 69 and 99)
2. Gene Young, President, American Planning Association (7, 21, 22, 32, 47 and 99)
3. Robert McGraw (co-sign written testimony with Gene Young), Co-Chair Public Issues Committee, American Planning Association (7, 21, 22, 32, 47 and 99)
4. Charles Prentiss (22)
5. Jim Tollefson, President, Chamber of Commerce of Hawaii (21, 32, 47, 69 and 99)
6. Andrew Cohen (71)
7. Marjorie Ziegler, Executive Director, Conservation Council of Hawai'i (21, 47, 69, 71, 96, 98 and 99)
8. James Mee, Chair, Legislative Affairs Committee, NAIOP Hawaii (21, 47 and 99)
9. William Reese-Liggett (21, 47, 69, 71, 96, 98 and 99)
10. William Woods-Bateman (69)
11. Thomas Yamabe, Kamilonui Farmers (21, 47 and 69)
12. Alan Shintani, President, BIA-Hawaii (47, 69 and 99)
13. Jacqueline Parnell, President, League of Women Voters of Honolulu (47 and 69)
14. Lydi Morgan (71)
15. Dean Uchida, Executive Director, LURF (7, 21, 32, 47, 69 and 99)
16. Nathan Nelson (99)
17. Gary Okino, Councilmember, Honolulu City Council (47)
18. Natalie Mims (21 and 47)
19. Jennifer Tsou (71)
20. Dean Okimoto, President, Hawaii Farm Bureau Federation

Jim Tollefson testified in opposition to Proposals 21, 32, 47, 69 and 99. He stated they are in opposition because they have a concern with placing these issues in the City Charter. He went on to say proposals relating to growth and sustainability should be handled through ordinances or statutes and not through the Charter. Mr. Tollefson stated one of the main issues we face today as pointed by their membership concerns towards development and housing for their workers and they feel with a proposal like this it would impede housing growth.

Thomas Yamabe testified in support of Proposals 21, 47 and 69. He offered the Commission to give a lengthy discussion to them on the historical facts behind agricultural industries. He commented he was second generation Japanese and his parents were

immigrants who came to Hawaii as plantation laborers and after their contracts expired they went into many types of businesses primarily the Japanese from Japan went into agriculture because they had very few resources and very little knowledge and that's how the agriculture industries started. Mr. Yamabe stated at that time much of the farming was done in the areas where the land was not being used subsequently when the possibility of improving that land into other use as urban agriculture with higher return, the farmers were moved out. He commented he thinks the agriculture industry is just as important as the schools, the parks and all the other incidental use in any community and asked to go into further details with the Commission to further discuss agriculture industry.

John Hoag testified in opposition to Proposals 21, 47, 69 and 99. He stated they own 6,000 acres of land in Laie and North Shore and for a 141 years, most of that land has been in agriculture. He went on to say none of these Proposals address helping the farmers but is really restricting urban development. Mr. Hoag stated there is a housing crisis in Laie where they have 2-3 families living in one home, people commuting from Mililani to work there, they have opportunity to build workforce affordable housing by dedicating most of their land and those two ahupua'a to low cost affordable housing much like the model that Mayor Kim is using on the Big Island. He went on to say a great need in their community is affordable housing and asked the Commissioners to look at Proposals 21, 47, 69 and 99 because the great need in their community is affordable housing and these proposals do not help the farmers.

Charles Prentiss testified in support of Proposal 22. He read his written testimony into the record. Commissioner Meder asked Mr. Prentiss to clarify if this current position also resides in DPP? Mr. Prentiss responded the way they refer to it is administratively attached to the Department of Planning and Permitting for administrative purposes. Commissioner Meder commented as he recalled from the proposal, it was for efficiency purposes because the position has mentioned to be reinstated would not be full time. Commissioner Meder asked Mr. Prentiss if that was part of the motivation? Mr. Prentiss responded it was a full time position it could be attached to the department just like the Neighborhood Commission's Secretary's position is attached to the Managing Director's Office but that's a management issue. Commissioner Meder then asked with the connection to DPP and then the Planning Commission does Mr. Prentiss see any inherent conflict of interest having to serve those two masters? Mr. Prentiss responded it was interesting serving two masters but the more substantive matters were serving the Planning Commission and the Administrative matters were serving the Planning Department. Commissioner Meder asked if there were different personalities involved would there be more of a conflict potentially with a different Director of DPP? Mr. Prentiss responded he doesn't think with the current Director there would be.

Charles Palumbo testified in support of all of the Proposals in this category but opposes Proposal 99. He commented specifically on Proposal 47, he lives in Niu Valley and commented they are being threatened by landowners who have speculatively purchased preserved conservation land in the hopes of moving back the urban growth boundaries so that their land which is not worth much right now would be worth 100 times the amount it is worth right now. He stated the ridges from Wailae Iki to Sandy Beaches are slowly being closed off to the public and you can't hike up there any more and there only a few ridges left, particularly Paiko Ridge. Mr. Palumbo commented there is a lot of urban land

to develop and creatively be reused and don't need more land but need to creatively reuse the land that is already designated. Commissioner Meder asked Mr. Palumbo with the support of the other proposals but not Proposal 99, he asked what is the reason. Mr. Palumbo responded if they are taking an acre out of conservation land and getting something back, they are going to have Waimanalo Rubbish Dump as the conservation area pretty soon and all of the ridges there and other special places converted into higher housing. He stated what they should be looking at is positive growth and moving luxury housing, which is what they are talking about, to other islands.

Dean Okimoto testified in support of the intent of Proposals 21, 47 and 69 but is opposed to Proposal 99. He stated while they appreciate the intent of the Commission to further protect the important agricultural land and to support the requirement of a 2/3rds voting requirement of by the Council to up zone and they also agree with the additional protection measures to ensure that agricultural lands will be preserved for future agricultural production. He went on to say they do not want this measure solely based on preserving agricultural land because what happens is it preserves for open space. Mr. Okimoto stated what they lack as an incentive for people to get onto the land to farm the land. He commented last year they passed Act 183, which was approved, by the state, which is to identify and preserve important agricultural land throughout the state. He stated they are in the process of identifying incentives to help farmers get onto the land and basically the landowners to put that land into agriculture production. Mr. Okimoto strongly urged the Commissioners to look at Act 183 to see what it could do for the future of the agriculture industry. He stated there is a way that the counties can help in this. Commissioner Myers asked Mr. Okimoto if he had submitted his testimony in writing? Mr. Okimoto responded yes he just did. He went on to say Proposal 99 is that what it promotes about zoning is how do you trade off one acre of ag land to one acre of urban development? He stated they might end up with spot zoning or get traded off or the ag land is going to be a gully somewhere or a 90-degree slope.

Chair Takaki asked Mr. Okimoto if he was speaking on behalf of the farm bureau or himself? Mr. Okimoto responded he was speaking on behalf of the Farm Bureau. Chair Takaki asked to clarify that they are supporting the intent of the proposals but not the proposals because they don't think the proposals accomplish the intent? Mr. Okimoto responded yes. They appreciate that the Commission is looking at agriculture but they believe it's an issue they feel the State should deal with first and then the Council.

Commissioner Grau asked for a clarification from Mr. Okimoto. Commissioner Grau asked Mr. Okimoto stated they are in favor of the intent of the proposals? Mr. Okimoto responded they do appreciate the Council and the Commission is looking at trying to preserve agriculture and agriculture land but they feel they have a process in place that has been moving forward since last year and they would like to see that process play out and see the counties' involvement in the long run in the future. Commissioner Grau clarified that Mr. Okimoto is opposed to Proposal 99 and is in favor of the intent of the others but not in favor in the actual proposals in this category? Mr. Okimoto responded in the affirmative.

Commissioner Chang commented Mr. Okimoto is making a profound statement for their support of the intent of the proposals that it seems that the farming community is

comfortable with the fact that the legislature is responding to the farming needs vis-à-vis the land issues and asked if that was a correct interpretation? Mr. Okimoto responded in the affirmative and the reason why is down the line the counties are going to be involved in identifying some of the ag lands at the end of the process so it might come at the point when definitions are a lot clearer as a state statute.

Jacqueline Parnell testified in support of Proposal 69 and if this proposal is rejected, they would support Proposal 47. She read her written testimony into the record.

Natalie Iwasa testified in support of Proposal 21, 47, 69, 71 and 99. She commented she thinks the ag land in Hawaii is slowly disappearing and these opportunities for children to learn about farming. She went on to say it's not only what's important to the farmers but also what is important to the people that live around ag lands. Ms. Iwasa stated her other concern is recycling. She commented she used to take in recyclable materials for 4 years in the early 1990's and feels if there was more convenience for people to recycle there would be a lot more things being recycled and diverted from the landfills. Commissioner Chang asked Ms. Iwasa if she had any comment to the previous testimony that was given that these proposals serve to protect land, basically agriculture designations, but none of these proposals does anything to support the farmers in making these lands farmable? Ms. Iwasa responded she's not a farmer but grew up in Wisconsin knows how it is to live on open land. She stated when she first got involved with the community and Livable Hawaii Kai Hui and heard about what was happening to the farmers that are aging and don't have family to help support the farming, she commented that she felt that by living near the farm she and her family could learn about farming and eventually help when her children get older and that would be their support for their community.

Elizabeth Riley testified in support of Proposal 47. She stated in the East Honolulu Sustainability Community Plan there is a map that has the urban growth boundary shown. She commented this plan should take the community thru 2025 but not everyone respects the urban growth boundary. Ms. Riley commented she wanted to make clear that Proposal 47 does not speak to agriculture issues but it does two things, ask the Director of DPP to prepare an ordinance establishing urban growth boundaries and the administration thereof for submission to the Council and upon enactment of such an ordinance any subsequent amendment to the delineated boundaries would require a two-thirds vote of the City Council. She stated that is what is excited about. She went on to say for two years she has been working with her community trying to uphold the urban growth boundaries and have worked with their neighborhood board and they have drafted a resolution and also worked with their Councilmember who also drafted a resolution that speaks to that issue but they are here fighting to uphold the urban growth boundaries. Chair Takaki asked Ms. Riley if her organization strongly feels that the extra one vote warrants consideration in terms of the Charter? Ms. Riley responded in the affirmative and commented to her experience over the past 2 years lobbying for certain bills she has found it is necessary and that it would be successful in the passage of some bills in particular urban growth boundary issues if there is one more vote to make it a little more difficult and to give it a little more consideration.

Todd Schelling testified in support of Proposals 21, 47, 69 and 71. He commented concentrating on the urban growth boundaries he feels it's sufficient, important and it

belongs in the charter because he feels in general boundaries gives structure and help make sense of what is going on. He went on to say if there aren't urban growth boundaries, what would stop the urban sprawl? He responded nothing and as we get more and more people we would get more and more sprawl.

Maureen Muraoka testified in support of Proposal 47. She commented she would like to have the farmlands remain farmlands in Hawaii Kai because there has been so much growth in their area and doesn't think their infrastructure can support much growth and believes they should maintain Hawaii Kai as it is. She went on to she doesn't think they can have more growth without taxing their infrastructure.

Marjorie Ziegler testified in support of Proposals 21, 47, 69, 71, 96, 98 and 99. She commented on specifically on Proposal 71. She stated one of their concerns is marine debris and impact to wild life, the entanglement of the turtles and seals. She went on to say they think the marine debris problem would be partially addressed with mandated curbside recycling. Ms. Ziegler gave an example of the seabird ingestion of plastics and hopes that mandating curbside recycling would help reduce the problem and hopes in the future we could move towards not using so many disposable items and look at packaging and also recycle more of the items. Ms. Ziegler also supports Proposal 98 to make new or renovated city buildings more energy efficient.

William Reese Liggett testified in support of Proposals 21, 47, 69, 96, 98 and 99. He commented there are development decisions being made by landowners and housing companies who own what they've always owned or they buy land for sale and build on it to make money and feels this is not planning. He went on to say our island is so small and our natural places and open spaces are so precious and must incorporate urban growth boundaries and ag protection zones and a two-thirds vote should be required to rezone ag to urban. Mr. Reese Liggett commented the Charter should establish a rule that there be a no net loss of ag and preservation land. He commented he supports the intent of preserving open spaces and feels that's a better term than agriculture. Mr. Reese Liggett stated for Proposal 71 his friends and family can't understand not having recycling. He commented perhaps putting it in the charter would get it done and feels the voters would rally for it. Chair Takaki asked Mr. Reese Liggett if he had participated in the urban growth boundaries when it was established in their sustainable community plan? Mr. Reese Liggett responded he's only been here 20 years and Kaimuki has sort of been done. Chair Takaki commented each area has been redone he believes in 1998 or so. Mr. Reese Liggett responded he did not participate.

Commissioner Meder asked Mr. Reese Liggett if he stated in his earlier testimony if he was a real estate agent? Mr. Reese Liggett responded yes, he does commercial real estate, warehouses and offices.

Lydi Morgan testified in support of Proposal 21, 47 and 71. She read her written testimony into the record.

Betty Gearen testified in support of Proposal 71. She stated she represents over 1,500 citizens across Oahu who wants curbside recycling to happen now. She went on to say the current administration is really dragging their feet, they don't want it and commented

an amendment like this she feels is so important and can't wait until 2008 as the landfills are filing. She feels it's a responsible thing for everyone to do and encouraged the Commission to support this proposal for the future and the keiki. Chair Takaki asked Ms. Gearen, the current action taken by the Council would require curbside recycling by 2008 for 2 of the 5 classes and then phase in the rest of the classes if she finds that to be a sufficient way to address the issue as opposed to going through the charter? Ms. Gearen responded she doesn't feel like that was really a step forward but a step backwards. She commented she feels yes to have green waste but wants to deal with the trash and wants everyone to think about how much trash people throw away everyday that could be recycled. She went on to say we can't afford to wait and she thinks by the Administration at the last minute to do that, they'll strip down the way they did does not help our island at all and thinks the charter amendment would force the issue and the island would be better off.

Commissioner Grau commented a number of the proposals they hear on a number of occasions that this is something that's best left to the Council to make those decisions and really should they encumber the charter with those kinds of issues and asked Ms. Gearen for her thoughts on that. Ms. Gearen stated they just fought to get Bill 72 passed and they found out that behind closed doors it was watered down and commented she thinks this is their last desperate hope to get this to happen. She went on to say she doesn't think the Council will do it, for some reason the Mayor doesn't want it, she thinks some Councilmembers want it. Ms. Gearen stated as many people as she got to sign petitions and as hard as they have been working to get this curbside recycling program to happen, she feels this is their best effort is to have the Commission support this and put it on the ballot.

Randy Ching testified in support of Proposal 71. He stated he echoes the sentiments of Betty Gearen and thinks the people of Honolulu would like to see a curbside recycling program now. He commented he was part of the process of trying to get Bill 72 passed before the City Council. Mr. Ching noted Councilmember Djou introduced Bill 72 and wanted curbside recycling to start as soon as possible and his original draft asked to start January 1, 2007 but what happened was they got 2 out of 5 with a phase in of 2 more materials by July 2008 and while that's better than nothing that's 2 more years of throwing a lot of recyclables into Waimanalo Gulch. He commented he would like to see Proposal 71 on the ballot of November to give residents of Honolulu a chance to express their desire for a curbside recycling program and believes it would be heavily supported.

Commissioner Meder asked Mr. Ching if he or anyone else who testified on Proposal 71 has any numbers on job creation related to recycling, would this bill support actual creation of jobs? Mr. Ching responded he's seen some of the numbers but could not recall but does know since they've started the bottle bill on January 1, 2005 some of the recycling companies such as Reynolds hired 60 or 70 employees the first year and thinks they are planning to hire 30-40 more employees for 2006. He clarified off hand he could not recall but knows just on beverage containers, the recycling companies had a large increase on hiring but as far as all of the recycling materials he has seen those figures somewhere but could not recall.

Commissioner Meder asked Chair Takaki to have Researcher Love to look into those numbers.

Commissioner Lendio commented she'd like to know on the curbside recycling bill that was passed by the City Council what is the budgeting and implementation of the program. She went on to say because if they pass this proposal to be placed onto the ballot in 2006 and it passes and it became law, by the time they discuss whether or not there's a budget for it they'd be up to 2008 anyway and it would be in addition to what the City Council is already doing budgeting for. She asked Mr. Ching if he knew what is being budgeted for already for the curbside-recycling program? Mr. Ching responded he thinks the City has given figures through this fiscal year and next fiscal year. Commissioner Lendio asked to clarify for the 2007 and 2008 budget. Mr. Ching responded he believes so but is not positive. Chair Takaki asked Researcher Love to double check.

Commissioner Myers commented he has heard several testifiers and appreciates Ms. Gearen who has 1,500 signatures. He stated he lived in a neighborhood a few years ago that was part of the test neighborhoods for curbside recycling and felt like he was the Lone Ranger every time he put his stuff on the street because he was 1 out of 15 to 20 households that actually participated. He asked what makes them think at this point and time that there would be people participating then they did then? His second question is there are a lot of things everyone wants and they all come with a cost and feels they have to be considering at some point and he asked what is it that they are willing to give up that they currently have in order to have these things? Mr. Ching responded to Commissioner Myers first question, he commented he doesn't think that it's that hard to do, he thinks 10,000 cities and municipalities on the Mainland have curbside to one degree or another and most of them are pretty intensive and thinks of Oahu's list of 5 recyclable items he thinks the vast majority of those 10,000 cities on the mainland recycle all or almost all of those five materials. Mr. Ching went on to say if all of those people could do it, he really doesn't think it's that hard even to mandate it if it's made easy for everyone and thinks people would adapt to it really quickly. Mr. Ching stated he knows the Kailua and Mililani pilot projects, depending on whose number you look at, the participation was not as great. He stated he believes in Mililani was 65% said they would participate for the 6 months but at the end of 6 months the participation was 68%. He went on to say he knows a lot of people didn't do it but thinks once it's mandated and people see how easy it is he doesn't think they'll get that much opposition from people in terms of doing it because it fairly simple and it doesn't take that much once they get into it.

Commissioner Tom asked Mr. Ching if it was fair to compare Proposal 71 with the current bill that was passed by the City Council of Bill 72, is it apples to apples or apples to oranges? Mr. Ching asked for clarification in what respect? Commissioner Tom stated in terms of the rest of the recyclables being contemplated under the Proposal 71 versus Bill 72. Mr. Ching responded his interpretation of Proposal 71 is very similar to what they did for Bill 72 in a sense that even though it's requiring the Director to administer the program it doesn't say specifically what materials so again it would be up to the Director to decide which materials, Bill 72 that passed there are 5 recyclable materials one of which is green waste and it's a gradual phase in so Proposal 71 could end up looking like Bill 72 if he is interpreting the words correctly.

Darian Gray testified in support of 21, 47 and 69. She stated there are 87 acres of agriculture land in Hawaii Kai and commented she's in support of the Urban Growth Boundaries and doesn't want to see changes in that Valley. She went on to say when she moved to Hawaii Kai 10 years ago it was a quiet suburban community and it has changed drastically. Ms. Gray commented she's also in support of Proposal 71. She commented about her experience of recycling in Southern California and how she had to adjust when she moved to Hawaii. Ms. Gray stated she thinks if there is forced recycling by the City eventually everyone would do it.

Carl Takamura testified in opposition to Proposal 99. He stated if Proposal 99 what reflective of what he thinks needs to be what they would caution the Commissioners as they look at all of the proposals to consider carefully whether or not these proposals needs to be in the charter as opposed to be handled legislatively or administratively. He went on to say the intent sometimes of what they do policy wise sometime is different when you try to implement it. Mr. Takamura stated if these proposals are put into the charter especially those that are specific and it turns out the intended effect is not what the Commission wanted, they are going to be really hamstrung in trying to have the Administrative or Legislative way to change it or get rid of it if it's not working and he feels that is a problem with Proposal 99.

Lyla Berg testified in support of Proposals 7, 21, 47, 69, 96 and 98. She stated she is the State Representative for District 18, she sits on the Environment and Energy Committee, and Water, Land and Ocean Resource Committee. She commented she commends the Commission for listening to these proposals because she stated they need the counties to be very clear in their charter with the vision is for the counties. She comments the Commission wants to change the wording in Proposal 7 to say "Sustainable Communities Plan" and stated that is what the state is encouraging residents to do and stated they are in process of creating a plan to go out into the communities for communities to be a part of the dialogue of what it means to be sustainable. Ms. Berg commented she's in support of Green building standards and commented it's challenging at the state level to have the dialogue about green roofing, to have the dialogue about having new state buildings be under LEED approvals, to begin to have some forward reaching but more than just legislation. She also stated regarding the Environmental Bill of Rights, she commented if it is integrated in the Charter she thinks it would set the tone of what is important. Chair Takaki stated a lot of the comments and written testimonies have been focused on the fact that they do not belong in the Charter and that it should be done by the Council and Administration to deal with these matters and asked for her comments given her experience on the State level. Ms. Berg responded the State Constitution requires that 90% of their land remains in Ag, ACT 183, which Mr. Okimoto referred to she, had some great concerns about but went with it because the Farm Bureau believed it was a beginning. She went on to say there is a perception at the State level that Ag lands classified A or B are the only important Ag lands. She commented with regard to putting it in the Charter she thinks its important to be careful about the wording but also thinks it provides the guiding document like the State Constitution is supposed to provide the guiding document for the State.

Commissioner Meder stated some of the testifiers before Ms. Berg noted growth, balance and the urgent and growing need for housing. He asked Ms. Berg if the growth

boundaries she is supporting, how does she that believe they would make those balances and accommodate the needs for housing. Ms. Berg responded there are a lot of creative ways they could talk about on how to provide housing. She stated they need to have the larger conversation of where do they want the growth or the housing to be. She went on to say she's very disconcerted at the State level that in the name of affordable housing, there's lots of different kinds of legislation is superceding their vision or conversation of how lands should be used most appropriately for a sustainable future for Hawaii. She stated she thinks there some belief that all they have to do is keep drilling wells and there's going to be enough water and if they pave from Hawaii Kai to Kapolei, it's impossible for the water to seep into the ground in certain places. Ms. Berg stated there has to be a real deliberate conversation of where and how they want to build and what kinds of buildings they want to builds and thinks it behooves a constitution or a charter to set that vision and the frame for how they want to evolve in Hawaii.

Dean Uchida testified in opposition to Proposals 21, 47, 99, 32 and 69. He summarized their written testimony. He commented that issues talking about growth management are tools that should be done at the Ordinance or planning level and not elevated to the level of the Charter. He went on to say his second point is the smart growth initiative, urban growth boundaries are a comprehensive tool for land use planning and that comes with some commitments from the government as far as infrastructure. Mr. Uchida gave an example of if they are going to put a boundary and state they cannot build beyond this and set the limits for urbanization then the government has a responsibility to make sure the infrastructure is adequate to provide for future growth and the question is what is the County doing about making sure they can accommodate growth in the future. He commented the County is not equipped to handle agriculture and stated they struggled for 8 months dealing with the County real property tax for agriculture a year ago. He went on to say the County is very well prepared and equipped to handle municipal planning but they do not have the natural resource planning in-house, the State Department of Agriculture does. He stated if the Commission proceeds with the idea of trying to help agriculture the county should be properly equipped to help agriculture in order for it to succeed. Chair Takaki asked Mr. Uchida, people that are in favor of many of the proposals in this category state that these proposals in general do not prevent conversion from agriculture land to land that can be developed and it does not prevent the urban growth boundaries from being expanded but it simply makes it more difficult to expand the urban growth boundary and convert land through agriculture and asked Mr. Uchida for his comments on why maybe it's not as simple as it seems. Mr. Uchida responded the process question of the additional vote, why does it have to be elevated to the charter and why does the charter have to be amended to make the supermajority two-thirds vote and why couldn't it be happen at the Council level? Mr. Uchida stated at an economic standpoint, when there are additional barriers to land use planning it adds to the cost to doing affordable housing or any type of development. He went on to say they have to ask whether that type of level of scrutiny for the additional vote is worth what they are trying to protect, what is the public policy trying to do and is it appropriate to put it in the Charter or is it more appropriate to be done elsewhere.

Commissioner Meder commented he is confused by Mr. Uchida's statement regarding urban growth boundaries, which complicates the issues about responsibility and cost of infrastructure. He states it seems axiomatic or completely evident to simply abolish a

boundary that any growth beyond that boundary would have associated costs to infrastructure that are exceedingly more expensive than they are within its growth boundaries. Commissioner Meder stated he doesn't follow Mr. Uchida's argument. Mr. Uchida responded when dealing with agriculture land like in Kapolei, Ewa Beach or Mililani the developer pays for everything going in, all the infrastructure all the improvements and then they dedicate it over to the County. He went on to say when dealing with an urban growth boundary there are density issues and if they wanted to increase the density in an area or a block, they need a system in place that can accommodate the increase in density they are proposing. Mr. Uchida stated the cost isn't borne by one project anymore but it's being borne by an entire area like an improvement district and before they can resolve to increase the density, the need to make sure the infrastructure can accommodate that increased flow of sewer, water, drainage. He commented that's the difference in cost between raw land and development infill so if the City is trying to put a tract or incentive in the urban area the logical thing is to increase the infrastructure capacity so they could say they'll give them zoning for increased density and here's the capacity. He noted the developers coming in right now cannot increase the density or the collector system. Commissioner Meder commented when that land in the area Mr. Uchida just described is developed there is the responsibility within the subdivision for those improvements borne by the developer, they've got the extensions of all the infrastructures out to those areas that are then the responsibility either of the city or the state. Commissioner Meder stated there are responsibilities with going beyond the county or the state and it is evident that if there's increased density within the boundaries then those densities have to be accommodated in the infrastructure. Commissioner Meder went on to say the developers are handling it within the subdivisions but there are still responsibilities to those subdivisions by the county and the state, it's not like it's only one entity that's taking care of that subdivision. Mr. Uchida responded he doesn't follow Commissioner Meder's question or statement. Commissioner Meder stated he's suggesting that the development cost in the areas Mr. Uchida identified, the developers responsible for the infrastructure within the subdivision but the subdivisions are often disassociated from one another, there are satellite subdivisions out there so they have to bring the infrastructure out to those locations and those are not the developers costs but the city's and the state's cost for different levels of infrastructure. Mr. Uchida responded for certain regional improvements that's correct like the highway interchange but for a lot of the primary such as Ewa, there's an impact fee for roads so all of the projects being developed in Ewa in their building permit there's an impact fee that the builder is pay for a portion which he think is about 20% of the road construction cost.

Commissioner Chang asked Mr. Uchida for clarification of his concept he's proposing. Commissioner Chang clarified Mr. Uchida is saying if the Commission adopted the proposal and have the urban growth boundary defined that the concern is if the city's going to be able accommodate growth and it's limited to the defined boundaries, he's saying the City would not have the capacity somewhere else to insure that the infrastructure is properly installed in order to accommodate that growth. Commissioner Chang asked Mr. Uchida if he was saying they couldn't do one without the other? Mr. Uchida responded yes.

Cheryl Soon testified in favor of Proposals 7, 32, 47 and very strongly supported urban growth boundaries being in the City Charter but some of those proposals however couple

it with an agriculture protection zone and they did not reach consensus on that. She commented over the past year to two years belatedly the State has come to some good discussions regarding protection of agriculture areas and what it means. She stated a lot of the emphasis however is on the neighbor islands and there has never been Oahu specific agriculture and therefore APA did not feel that they could support those half of the proposals having to do with the agriculture. She went on to say on the agriculture protection zones, they'd like to see something else likely in the Charter but nowhere close to being able to say that these are the provisions that should be in. Ms. Soon stated they are specifically opposed to Proposal 99 because they feel it's far too fixed, far too inflexible and there has not been the kind of discussion that would warrant APA support that as a proposal. She commented she would like to address Proposal 22 and stated a lot of their discussion focused on the Planning Commission and making it a more meaningful body than it is now. She went on to say right now it's one of the organizations in the stream towards entitlement. Ms. Soon commented planning is many more things than just the land use entitlement process and to give the responsibility to the Planning Commission to identify trends, to identify needs and there's a provision in the current City Charter for the biennial report to give that responsibility to the Planning Commission to biennially look at the goals and objectives and say how well they are meeting and what more needs to be done, does it need one Executive Secretary who by the way who is independent from DPP and not part of it. Commissioner Grau commented Ms. Soon stated she was troubled with connecting some of the proposals to agriculture and asked if she had a suggestion of the way they might be written to avoid that problem? Ms. Soon responded when the proposals reads urban growth boundaries and ag protection they would support if it was just for urban growth boundary to keep in the City Charter and to acquire the two-thirds override. But the provisions having to do with the ag protection zone, they are not supporting those at that time. Chair Takaki asked Ms. Soon related to that comment Proposal 21 relates to Urban Growth Boundaries and Agriculture protection zones, Proposal 47 which several people have testified on tonight simply relates to the Urban Growth Boundaries. He asked which is she in favor of? Ms. Soon responded Proposal 47 and not Proposal 21 as it is combined. Chair Takaki then asked Proposal 32 establishes a deadline and several people submitted written testimony against the proposal stating that it is going to elevate the Planning Commission to the role of decision making rather than advisory and asked for her comments. Ms. Soon responded she doesn't read that in the proposal but she feels the role of the Planning Commission should be elevated, the Planning Commission is still advisory and not decision making but that advice should be passed on and not held up by the administration and that could be accomplished through the Executive Secretary and the deadlines.

Councilmember Gary Okino testified in support of Proposal 47. He stated as a professional planner he has been in the business for over 40 years and commented the concept of Proposal 47 makes absolute good sense to him. He went on to say the Department of Planning and Permitting supports it as well as the American Planning Association support it and he comments his views are consistent with the American Planning Association, the fact of wanting the support at the growth boundary and the two-thirds vote override. Councilmember Okino stated growth management and land use planning is one of the very critical functions of the city. He commented the urban growth boundaries are the key thing that would make the growth management plan work because it would state this development. He went on to say that government is to bring balance to

the welfare of the community as balanced with the desires of the landowners. He stated good planning brings efficient land use, efficient disbursement of infrastructure and it brings sustainability to the environment by preserving open space. Councilmember Okino commented urban growth boundaries doesn't mean no growth, it means sensible and guided growth. He commented they need to direct and focus development for more efficient growth and the one thing they want to prevent is urban sprawl. He stated that has a lot of bad things they have really undermined good development in the Community especially on Oahu where land is so precious and need to focus development and compact development and it would make some of the infrastructure like mass transit work a lot better. Councilmember Okino stated the charter currently has urban growth boundaries as part of the sustainable communities plan, the amendment is enabling legislation in defining the growth boundaries to be enacted as a bill or an ordinance within the development plan or the sustainable communities plan and does not establish the growth boundaries which is done by ordinance. He clarified the reason this amendment was brought to the Charter Commission was because they were seeking firmer or something that would be more sustainable so they could focus development and because of that they thought of applying the two-thirds or supermajority vote. He commented they tried to do it by ordinance but were advised by their attorneys that this was more Charter type of concern because the charter basically sets up votes. He went on to say the City Council can vote anything on a majority 5-4, the charter sets that up and all of the exceptions, all of the cases where they would have to have a supermajority is specified by the charter. Commissioner Chang asked Councilmember Okino for clarification. Commissioner Chang asked if the City is not able to accommodate the infrastructure requirement and therefore not be able to facilitate development in that area, it puts into effect a cap on what the City and County of Honolulu is able to provide in the form of for example, housing. He went on to say everyone knows what happens with supply and demand, prices skyrocket. Commissioner Chang commented his concern if there is no accommodation for moderate low cost housing or medium income housing through the other means, this would become a place where only the rich could live and that troubles him. Commissioner Chang commented he doesn't understand the objections to the comments for those to Proposal 47 because he doesn't know what the solution is and unless the City is standing ready to commit itself to accommodate whatever the growth may be and that is also going to be determined by policy. Councilmember Okino responded it's a very difficult question but gave his perspective. He stated all of the new areas within the urban growth boundaries would occur as extensions to areas like Central Oahu and Ewa, in those areas there's already 50 years of supply for housing so it's not going to lessen the demand for housing because they are adding to this area. He went on to say the difficult part to adding infrastructure may be in the downtown area where it's fully developed. Councilmember Okino stated the City is committed and the number one policy of the city is full development of the primary urban center. He stated functional agencies have a duty, obligation or admission to try and provide infrastructure when it's the city's responsibility because they want to see more development in the downtown area. He commented there's not always opportunity so sometimes it's hard to say where they want to expand. He went on to say there is a lot of development going on downtown, which did not require additional infrastructure. He clarified one of the things of redevelopment in urbanized areas is it does have infrastructure capacity that they can build on, they might not have sewer capacity they might have to deal with partially developer partially city. He stated the city is committed to bringing more development into

downtown. He went on to say if they were to look at it in terms of the urban growth boundaries, he doesn't see any easier reason along those lines to allow an easier way of expanding the boundaries.

Commissioner Meder asked Councilmember Okino for his opinion in regards to affordability and how do they build within those boundaries and not make it simply high end? Councilmember Okino responded to leave it to the free market, that's what they are going to develop or whatever the market can bear. Even if they allow expansions of the urban growth boundaries that would not lessen the demand for one of the provision of whatever the market can bear. He went on to say he thinks affordable housing has to be government subsidized with support. Councilmember Okino commented there are ways to do it and there are companies using federal tax credits and different kinds of subsidies and are providing affordable housing but they just have to find ways to bring these companies in. He stated a lot of the state housing is converted into private but are being maintained as affordable. He went on to say an organization develops small affordable housing projects such as Kalakaua Vista, Wisteria Vista and it encompasses maybe 100 units but affordable rentals and rentals for elderly. He stated it doesn't have any connection to how they treat the urban growth boundary.

Chair Takaki asked to take a 5-minute recess.

Commissioner Lendio moved to take a 5-minute recess. Commissioner Meder seconded that motion.

****RECESS – 8:48p.m.

****RECONVENE – 8:58p.m.

C. Ethics

PROPOSAL 28 - Ethics Commission; Allow the Ethics Commission to impose civil fines.

PROPOSAL 30 - Ethics, Charter Commission, Reapportionment Commission; Include the members of the Charter and Reapportionment Commissions as city officers for purposes of the ethics laws.

PROPOSAL 31 - Impeachment; Provisions re impeachment of elected officials are invalid; options to correct the charter.

PROPOSAL 41 - Standards of Conduct; Codify within the charter existing state law and provide uniform standards of conduct within all city entities.

The following individuals testified:

1. William Woods-Bateman, Self and Oahu County Committee of the Democratic Party of Hawaii (Proposal 41 – Support)
2. Jacqueline Parnell, President, League of Women Voters of Honolulu (28)

Written testimony:

1. William Woods-Bateman, Self and Oahu County Committee of the Democratic Party of Hawaii (Proposal 41 – Support)
2. Jacqueline Parnell, President, League of Women Voters of Honolulu (28)

William Woods-Bateman testified in support of Proposal 41. He stated this is an amended testimony from the previous he has given to the Commissioners on Proposal 41 and this testimony is on behalf of the Oahu County Committee of the Democratic Party of Hawaii. He went on to say the two suggested amendments are to "Section 11-106.b. regarding political activities", he commented there is an exception under the Hawaii Revised Statutes which prohibit Liquor Commissioners from participating in political activities. They would like to have that exclusion in there otherwise it would cover all city entities. Mr. Woods-Bateman stated the second amendment would be simplification to Section 11-110.b. Penalties, Sanctions and Disciplinary Action for Violations. He read his written testimony into the record. "The purpose of this section is to establish authorities for all provisions of this article. It appears that due to the current nature of the historical developments of these authorities that there is duplication and gaps in handling problems and violations. While the original draft of this proposal tries to use the current practices as a baseline, we recommend that (b) section be amended to establish a policy statement the City Council, through ordinance and policy, shall establish the programs of the executive branch to develop the policies and procedures in handling violations, penalties, sanctions and/or other disciplinary action in accordance of all the provisions of this article. It would be necessary to leave the last sentence in (b) which states: Upon adoption of this article current enforcement shall remain enforceable and be updated with the adoption of necessary formal rules and/or ordinances." He went on to say that particular section was quite complicated because they took all the current activities and authorities for conducting those things and it was very complex to try to insert the new direction. He stated this would just establish a policy, the enforcement should take place and the proper ordinances and rules would be changed accordingly as necessary to make all the provisions effective.

Jacqueline Parnell testified in support of Proposal 28. She read her written testimony into the record.

D. Budget, Council, and Other Procedures

PROPOSAL 1 - Salary Commission; Amend provision regarding Council review of Commission findings.

PROPOSAL 34 - Budget; Administration and enforcement of the executive capital budget ordinance -- lapse in 12 rather than 6 months.

PROPOSAL 52 - Budget; Require that the Mayor sign a budget bill before exercising line item veto authority.

PROPOSAL 53 - City Council; Allow the Council to designate which Councilmember will serve as Council chair and presiding officer pro tempore when both the chair and vice-chair are absent or disabled.

PROPOSAL 54 - Ordinances; Clarify that amendments to existing codified ordinances may be made by the City Council by reference to the codified provisions, rather than by reference to the numbered ordinances that may be enacted.

PROPOSAL 91 - Property Taxes and New Fund; Set aside one-half percent (1/2%) of real property tax revenues for land and natural resources protection and one-half percent (1/2%) of real property tax revenues for affordable housing.

PROPOSAL S-10 - Public notices; Distribution of public notices via a widely accessible electronic medium.

The following individuals testified:

1. Dean Okimoto, President, Hawaii State Farm Bureau (91)
2. Jacqueline Parnell, President, League of Women Voters of Honolulu (91)
3. Josh Stanbro, Trust for Public Land (91)
4. Marjorie Ziegler, Executive Director, Conservation Council for Hawaii (91)
5. Brent Dillabaugh, Public Policy Director, Hawai'i Alliance for Community Based Economic Development (91)
6. Alani Aila (91)
7. Mark Fox, Nature Conservancy (91)
8. Jonathan Shroer, OHA (91)
9. William Reese-Liggett (91)

Written testimony:

1. OHA
2. Constance Judy Pulido
3. Sandra Toma
4. Bob Wagner, Managing Director, Field Programs, American Farmland Trust
5. Michael Ullman, Truly Dually Productions
6. Betty Lou Larson, Housing Programs Director, Catholic Charities Hawai'i
7. Mark Fox, Nature Conservancy
8. Marjorie Ziegler, Executive Director, Conservation Council for Hawai'i
9. Laure Dillon
10. Brent Dillabaugh, Public Policy Director, Hawai'i Alliance for Community Based Economic Development
11. William Reese Liggett
12. Kathleen Hasegawa, Executive Director, Hawaii Habitat for Humanity
13. Jacqueline Parnell, President, League of Women Voters of Honolulu
14. Josh Stanbro, Trust for Public Land
15. Lydi Morgan
16. Dean Okimoto, President, Hawaii Farm Bureau

Dean Okimoto testified in support of Proposal 91 because provides the process to preserve agricultural lands by dedicating a percentage of the real property tax to the purchase of ag uses. He commented the priority for this revenue source would go toward protection of ag lands for current and future active ag uses. He went on to say the central plain is probably some of the most productive and fertile land there is on the island and there's a lot of pressure in that area for development. He went on to say if there's a way for the Commissioner's really want to looking at helping farmers to get back on the land and helping preserve ag land, this proposal is the best way to do it. Mr. Okimoto stated by giving that ½% to the purchase of the ag uses, they could form State and Federal partnerships in the long run to purchase ag lands down the road and keep that land in agriculture for perpetuity.

Jacqueline Parnell testified in support. She stated this proposal implements three positions held by the League of Women Voters: protection of the environment, preservation of important agricultural lands, and affordable housing for the residents of Honolulu.

Josh Stanbro testified in support. He commented he has a list of different organizations that are in support of Proposal 91. He commented he wanted to clarify from earlier testimony that it looks like 1% would be approximately \$5 million set aside each year, and half of that would be \$2.5 million for affordable housing and \$2.5 million for natural resources which actually is a drop in the bucket. Mr. Stanbro shared information from a poll of registered voters that was done a year ago:

- ❖ Percent of people on Oahu who think government should support affordable housing – 89%
- ❖ People who think government should protect undeveloped natural areas, or at least play a role in helping out – 93%
- ❖ People who think government should protect drinking water – 98%
- ❖ Do you support 2% of annual tax revenue for land preservation and affordable housing? – 72%

Commissioner Lendio stated the example of Maui County was given to them at the beginning of this process and asked Mr. Stanbro if he has an update on Maui County and whether or not they are implementing the will of people in their Charter Amendment? Mr. Stanbro responded they've set aside one percent just for natural land protection. He stated their suggestion would be instead of having one percent split between the two, as the voters indicated in their poll 2% where 1% going to each would be make for stronger programs for both sides. He went on to say on Maui where they have set aside 1%, they have protected nearly 400 acres of prime coastal property so far with their process. Mr. Stanbro commented essentially it's all through leverage so they spent about \$3 million in County funds but they protected \$10 - \$12 million in actual land because they were able to leverage Federal and State funding. Commissioner Lendio asked if that was a partnership with other entities? Mr. Stanbro responded in the affirmative and stated it's been on a number of different levels, the Maui Coastal Land Trust, which is a 501c3, used

some of those funding to leverage Federal funding. He went on to say they maintain the entire Waihee Dunes parcel which is a couple of hundred of acres, therefore there's no ongoing maintenance by the County it's a citizen organization that keeps the land an open space. He stated they also used it to expand on a County public beach park and they are doing another project this year on Molokai to establish a beach park for part of the island that doesn't have one right now. Mr. Stanbro commented they do one project a year for the amount of funds they are able to set aside. Commissioner Lendio asked Mr. Stanbro for clarification what he said earlier, is he asking the Commission to increase it to 2% now? Mr. Stanbro responded in the affirmative. He commented the Commission would be doing research over the next months, look at all the options, but the poll question was based on 2% set aside which is more than one. He went on to say theirs is clearly the support there from people of the populace. Mr. Stanbro commented a good program could be made even better and they could leverage more funding if more funding is set aside.

Commissioner Chang asked Mr. Stanbro what is the assurance that this would not result in the City Council or the Administration from raising the property tax to accommodate this as well as to accommodate the ongoing budgetary matters that they always are faced year after year? Commissioner Chang commented that's the danger of earmarking, conceptually is his concern. Mr. Stanbro responded he thinks it's a fair question but the short answer to that is Maui didn't do it, voters expressed the priority and wanted this priority. He stated the Council and the Administration look at that and say clearly the voters decided that this much should be going to these one or two programs and they cut back in some other pet projects and some other areas to accommodate for it. He went on to say they haven't raised taxes on either Maui or Kauai where this both passed and thinks that's an indication that raising taxes is not something anyone wants to do. He thinks having priorities set by the constituents is something very helpful for policy makers because then they know those are set and he thinks once they do get set they don't tend to get change because it a laborious process, such as what the Commission is going through right now, to go back and change it again. He went on to say he thinks once it does get set and it goes to the voters and it gets approved, it's probably going to stay there. Mr. Stanbro commented he thinks it gets back to it's a prioritization and what that allows for is, yes you're locked in but that provides a lot of bonuses. It provides stability and the ability to plan, whether it's the Planning Department looking at certain areas they want to protect not with regulations but rather with incentives as Mr. Okimoto was talking about with helping farmers stay on Ag land, they know that money is coming in next year so they could apply for the federal dollars and bring in private money from foundations and there's some assurances that it's going to be there. Whereas if they don't have a dedicated set aside earmark they are less likely to grant this jurisdiction, Oahu County, where as they would give it to Maui County because they know the funds are going to be there. Mr. Stanbro stated they would give up something in terms of the earmarking but because it's a percentage and not a set amount of dollars that rises and falls every year with the property tax valuation and should stay consistent to the mean. Commissioner Chang commented he would feel more comfortable if Mr. Stanbro could come up with a scheme so that there's an assurance in some way that there won't be a mechanism where by the City Council or Administration could raise more taxes to accommodate whatever other political demands they may have. Commissioner Chang stated he has a problem with the concept of the proposal not the idea of what Mr. Stanbro is trying to promote but

commented if there's a way they could address the question so that it does not make it automatic where depending whatever the needs are they raise more taxes because currently the property tax issue is a big issue for a lot of senior citizens, people on fixed income and so forth when they lock in money for a particular purpose through earmarking. Mr. Stanbro responded that's a political question and doesn't think it's something they can take away a taxing power it's something within the charter because it's a policy decision and they have to make their own judgment down the road and that would really hamstring the process and if they considered something like Proposition 13 it really hampstrings the process and they aren't allowed to make decisions about revenue.

Commissioner Myers thinks it would be naive to think that over a period of years that designated money like that wouldn't find it's way into the budget and wouldn't find it's way into the pockets of the taxpayers. He commented if this proposal is approved by the voters, in the back of their mind they have to understand that taxes are going up in some point and time. He went on to say he's heard several people testify that there's no new taxes here, it's just setting aside part of what's already but he just doesn't see that happening it might happen the first year. Mr. Stanbro responded Maui has had it for four years now and they didn't and he thinks a lot of people were surprised about how many little places they were able to reduce that were maybe not necessarily essential core governmental functions in order to make a little room for something that people think is a core government function.

Chair Takaki asked Mr. Stanbro regarding the 1% would be approximately \$5 million so \$2.5 million for land and natural resource protection and \$2.5 million for affordable housing, if Mr. Stanbro knew how much is being spent currently in those two areas? Mr. Stanbro responded he did not but offered to do research. Chair Takaki stated he would ask Researcher Nikki Love to look up that information and commented that he wanted to know if Mr. Stanbro knew in his research.

Marjorie Ziegler testified in support. She stated last year they were fortunate to work in a broad coalition of supporters of the Legacy Lands Act in the legislature. She commented Josh Stanbro in bringing together affordable housing interest, cultural interests, Native Hawaiian and environmental organizations together to support and increase the conveyance tax and to dedicate a portion of the real estate conveyance tax to land conservation and this proposal would compliment that effort. She went on to say over the past few years is no one entity or government is purchasing land, it's been a partnership and she thinks if the City could dedicate a portion of the property tax for its share of land acquisition for open space, agricultural values and natural resource values she feels it would be a plus.

Brent Dillabaugh testified in support. He stated he stands on his written testimony. He commented regardless of the mechanism by which they feel is most appropriate to make decisions on land use planning and zoning he thinks it's important to understand or recognize that affordable housing in conservation or preservation will continue to be an important issue and will take resources and thinks dedicating a portion of property taxes is a good idea and one worthy of the voters' general consent. Chair Takaki asked Mr. Dillabaugh if after they do the research and they find that City and County of Honolulu has been spending more than \$2.5 million on each of these issue would he still be in support

of this proposal? Mr. Dillabaugh responded as Josh Stanbro mentioned and the others, in terms of the ability to dedicate that fund so that on a permanent basis there's an ability to plan for and know that based on the estimates of the amount that would be brought in for property taxes this is the amount of resources that the City and County can assist and devote in partnership with the State, financial institutions, non-profits and others to provide affordable housing and also to conserve and preserve land and he thinks it's important and would support the proposal.

Commissioner Tom asked Mr. Dillabaugh a lot of questions have been asked if they set aside these monies then the taxes would be raised. Commissioner Tom commented that Maui County has 2% set aside yet he understands they are lowering their tax rate by a set-up of 29% and asked Mr. Dillabaugh if he was familiar with the fiscal situation on Maui? Mr. Dillabaugh responded he could not answer Commissioner Tom's question.

Alani Apia testified in support. He commented he commented land preservation and affordable housing are both critically needed for the Native Hawaiian community and culture to survive and thrive and also because affordable housing is crucial to maintain an equitable just society and not allowing to further devolve into a two-tiered society of "have and have nots." He went on to say affordable housing is absolutely critical to maintain their unique Hawaiian way of life, the ability to preserve the watersheds, the recreational and culturally important lands is crucial for them as the caretakers of the land and it is crucial to preserve and continue the legacy for the future children and the rest of the world.

Mark Fox testified in support. He stated the Nature Conservancy has chapters in 50 states and internationally as well and they are conservation land managers and they manage a series of 11 preserves in the State of Hawaii totaling about 32,000 acres. He addressed Commissioner Chang's concerns he stated earlier. Mr. Fox commented their experience with 25 years in Hawaii and over 60 throughout the county is that sadly environmental and conservation issues as far as government general funding allocation their concerned come far below important things such as schools, potholes and sewage infrastructure. He commented until there is dedicated funding put towards taking care of those special places that they all connect emotionally to generally speaking those are places out in nature, where they grew up, hiked, swam or fished or those places that keep Hawaii green – agriculture, the mountains, watershed. He went on to say that's what keeps the economy going because that's why people want to leave here and why tourists want to visit as well. But sadly those things do not get the support they need to do the kind of planning that were talked about by other testifiers until dedicated funding is put towards them. Mr. Fox urged the Commissioners' support for this proposal. Commissioner Chang commented the issue still remains the same for him because once they take property tax which is essentially been created to fund basic municipal services and start dedicating and earmarking it, then they run into the perpetual question of what's next, why not set aside funds for the Police Department and the Fire Department, etc. Commissioner Chang went on to say it seems to him that the potholes Mr. Fox talked about that always seem to demand priority attention. Commissioner Chang commented the political process sort of enhances that situation in a sense that they go to their city fathers as say they have to fix the potholes. Commissioner Chang went on to say if they took the opportunity for them to respond to that issue by setting aside certain funds that

they cannot touch, he feels to some degree they would be hampering their ability to govern in terms of whatever the priority interests are of the community of that time. He asked Mr. Fox for his comments. Mr. Fox commented interestingly enough Commissioner Chang talked about corporate support and people talk about corporate support that the Nature Conservancy is able to leverage and was looking at their annual operational budget for Hawaii and corporate support makes up 8% which he feels is not that much given their whole operations. Mr. Fox went on to say there a conception out there about what the Nature Conservancy was able to do successfully and then there's a reality about it and that's not to downplay how grateful they are for the corporate support from the many generous companies particularly in Hawaii that not only support them but a variety of social causes and community activity. Mr. Fox stated government is where the significant resources are all to make a difference for the general public. He commented he agrees with Commissioner Chang regarding it would start taking away the process of government when they start earmarking funds and why government was set up. Mr. Fox went on to say the practical reality is if they don't take care of the natural resources that provide as what they consider in their business as eco-system services which are clean water, clean air, aesthetic beauty. He commented they don't start taking care of problems until they are in absolute crisis. He stated Big Island residents are dealing with coqui frog invasive species infestation that are driving their property values down and falling out of escrow multiple times because the prospective buyers hear this frog that's there in tens of thousands of numbers per acre that are keeping them up at night. Mr. Fox stated it's almost too late to deal with the coqui problem on the Big Island and could not put enough money in that problem to make it go away and yet the environmental community was begging government for funding to deal with that problem 5, 6, 7, 8 years ago and it was falling on deaf ears. Granted that was the time that there's were no surpluses but the reality was until the legislature stated dedicating funds to create a Hawaii Invasive Species Council was no money being put towards those types of problems.

Jonathan Scheuer testified in support. He stated housing issues and open space issues are really central to keeping Hawaii, Hawaii and to keeping Hawaiians in Hawaii. He commented the lack of affordable housing disproportionately affects the Native Hawaiian Community and would argue without Native Hawaiians in Hawaii, Hawaii would be a much poorer place. He went on to say without open space to practice traditional and customary rights and also it's very hard to continue those traditional practices. He stated the two of them together really are very central to importance of Native Hawaiian issues. Mr. Scheuer commented the question before the Commission is why specifically is Proposal 91 needed? He stated those issues has been touched on, first of all funding is a necessary part of the mix and commented they could legislate that people have to provide a certain amount of affordable housing but that only gets them so far. They need to money to start the ball rolling for certain projects, foster partnerships, allows planning for long term and also sets owner options where they know there might be a chance that they could sell land for open space rather than for development. He went on to say is in their calendar regarding agency review of the proposals that they would discuss later on the agenda, he suggest that they include more than City agencies in that review and asked to include OHA.

William Reese-Liggett testified in support. He commented natural resources are the backbone of our economic door of tourism and we need to dedicate natural resources,

which are the sources of the feeling of well being of Hawaii. He went on to say it makes sense to mandate the preservation of the patrimony, our natural resources and if 1% is good then 2% is better and encourages the Commissioners to keep up with Maui.

E. Elections and Representation

PROPOSAL 5 - Elections; Eliminate the first special election when there are only two candidates for an office.

PROPOSAL 9 - Neighborhood Commission; Establish direct relationship between Commission and Executive Secretary

PROPOSAL 13 - Neighborhood Commission; Revise the Powers, Duties and Functions of the Neighborhood Commission.

PROPOSAL 55 - Term Limits; Re term limits for Councilmembers.

PROPOSAL 61 - Councilmember terms; Change the beginning time of the terms of Councilmember.

PROPOSAL 86 - City Council; Increase the number of members on the City Council from 9 to 11 or 13.

The following individuals testified:

1. William Woods-Bateman (9)
2. Debbi Glanstein (9,13)

Written testimony:

1. William Woods-Bateman (9)
2. Debbi Glanstein (9, 13)

William Woods-Bateman testified in support. He stated he stands on his written testimony for Proposals 9 and 13 and added to Proposal 9 on behalf of Neighborhood Board 16 Kalihi Valley to change the appointment of the Executive Secretary to the Neighborhood Commission. He commented three resignations have occurred on the Neighborhood Commission since the Charter Commission started their review of the Charter proposals back in September 2005. He went on to say he tried to contact all three over the past six months to encourage them to review the charter proposed amendments. The Neighborhood Commission has not had a meeting January, February, March and may not have a meeting in April. Mr. Woods-Bateman stated when he talked to some of the Commissioners who have resigned and some who are still on the Commission, one of their biggest issues is the appointment of the Executive Secretary which has created a great problem all of last year and there was a debate in terms of administration and Council about the appointment change, the politics of that and they felt very threatened in their position and support the fact they have been appointed themselves and would not be able to come to terms with making a recommendations. Therefore three Commissioners have resigned rather than trying to address that. He went on to say this is very important

proposal in changing the appointment would make a big substantial difference to rectifying the problem that exists.

Debbi Glanstein testified she is opposed to Proposal 9 because to encourage by charter that the Neighborhood Commission make a quantum leap than expansion of a marginally oversight role to the imposition of itself performing an executive role is premature, fundamentally ill-advised and would be detrimental to the effect of administration and morale of that office. She encouraged the Commissioners to vote in opposition to Proposal 9.

Ms. Glanstein testified in support of Proposal 13. She stated Proposal 13 is an evolution of the Neighborhood Board System and commented they have changed the mission statement and they have changed the Commissioners so that now by charter amendment a majority of those members of the Commission must have served a full term on a Neighborhood Board. She commented as Mr. Woods-Bateman indicated, three of the members of the Neighborhood Commission have recently resigned and their reasons range from dissatisfaction to cancelled interest. Commissioner Tom asked Ms. Glanstein to continue. Ms. Glanstein stated there is one additional Commissioner whose term ends at the end of June this year, two more Commissioner's term ends in June 2007 and there is a hold over. She commented she wanted to advise the Commission that the Neighborhood Commission needs strengthening and the strengthening comes from the Community, the Neighborhood Boards and the Charter. She went on to say when it sets out to do a periodic review and not a simple review sometime in the future and they must do certain things at certain times. She commented their internal rules take care of the grievance process. Chair Takaki asked Ms. Glanstein when she talks about periodic review, how often is periodic review. Ms. Glanstein responded it would be an annual review.

Commissioner Tom asked Ms. Glanstein in Proposal 13 it says "assist Neighborhood Boards in an effort to establish live communication between a government body." Commissioner Tom asked Ms. Glanstein for her interpretation of this. Ms. Glanstein responded there has been not a closed door but a reluctant door when they have asked who could they respond to, could they have some type of communication particularly with Corporation Counsel. She stated their response would be, they would get back to the, or they could not or to ask the Deputy Corporation Counsel who was at the meeting who again says they'll get back to you and they don't. She went on to say she is a Legislative Liaison for her Neighborhood Board she has the contacts and the ability herself to do that but with 444 people on the Neighborhood Board and 32 Neighborhood Boards, not every Neighborhood Board has a legislative liaison or someone who has the legislative background as she has. She stated the Neighborhood Commission could help because they do have the contact and they do have the experience.

F. Housekeeping Amendments

PROPOSAL 51 - Department of Customer Services; Include the Director of Customer Services as a department head who must be nominated by the Mayor, with the advice and consent of the Council, and may be removed by the Mayor.

PROPOSAL 75 – Ethics Commission; Include the prohibition against Ethics Commissioners taking an active part in political management or political campaigns set forth in the Hawaii Constitution Article XIV.

PROPOSAL 76 – Police; Delete prohibition of political activities by police department employees.

PROPOSAL 77 – Royal Hawaiian Band; Delete the reference to Royal Hawaiian Band in "Appointment, Confirmation and Removal of Officers and Employees".

PROPOSAL 78 – Civil Defense Agency; Delete the reference to Civil Defense Agency in "Appointment, Confirmation and Removal of Officers and Employees".

PROPOSAL S-6 - Petitions; Delete requirement of Social Security numbers on petitions.

The following individuals testified:
NONE

Written testimony:
1. William Woods-Bateman

4. Further Discussion and Action re revised calendar:

Executive Administrator Narikiyo went over the proposed revised calendar dated April 4, 2006. (***Attachment A***) They discussed the language of the agenda for the April 18, 2006 full Commission meeting on how they would handle the amendments to the proposals.

FOR ACTION:

Commissioner Lendio moved to approve the dates they agreed upon for the upcoming meetings. Dates are April 18 and May 2, 10. Commissioner Hirano seconded that motion. No discussion followed. All commissioners present voted in favor of the motion.

5. Announcements

NONE

6. Next Meeting of the Charter Commission

Next meeting will be April 18, 2006.

7. Adjournment

April 4, 2006
Hahaione Elementary School
Charter Commission Community Meeting
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Commissioner Myers moved to adjourn the meeting. Commissioner Lendio seconded the motion to adjourn. Meeting adjourned at 10:05 p.m.